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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,863	12/22/2000	Floyd J. Jones	JJAI 0101 PUS	3688

7590 01/24/2005

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EXAMINER
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NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/747,863

**Applicant(s)**

JONES, FLOYD J.

**Examiner**

Nga B. Nguyen

**Art Unit**

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This Office Action is the answer to the communication filed on September 16, 2004, which paper has been placed of record in the file.
2. Claims 1-22 are pending in this application.

### ***Response to Arguments/Amendment***

3. Applicant's arguments with respect to claims 1-22 have been considered but are not persuasive.

In the arguments, applicant stated that Kitchen fails to suggest the importing features in the claimed invention (importing the invoice to the payer accounts payable system, importing the payment to the payer accounts payable system, importing the payment to the biller accounts receivable system). Examiner respectfully disagrees. According to The American Heritage Dictionary of the English Language, Fourth Edition, ***“importing” in Computer Science is “receiving data into one program from another”***, thus “importing the invoice to the payer accounts payable system” is “receiving the invoice to the payer accounts payable system”, “importing the payment to the payer accounts payable system” is “receiving the payment to the payer accounts payable system”, “importing the payment to the biller accounts receivable system” is “receiving the payment to the biller accounts receivable system”. In Kitchen, see figures 8-11 and column 12, line 48-column 15, line 65, the payer uses the payer stations 120a-120d (the payer accounts payable system) to contact the CF station 140 at a Web site on the Internet to download and receive the invoice from the CF station 140, also see

figure 13 and column 16, lines 60-column 17, line 17, in response to request from the payer, the CF station 140 transmits payment information to the appropriate payer station 120a-120d, the payer station 120a-120d receives payment information displayed on the screen 1300 of the figure 13. Moreover, see column 9, lines 15-22, the CF processor 410 of the CF station 140 transmits a message indicating the amount of payment remitted and the associated payor account number via the network interface to the appropriate biller stations 110a-110d, thus the biller stations 110a-110d (the biller accounts receivable system) receives the payment information from the CF station 140. Therefore, Kitchen does teach the importing features including importing the invoice to the payer accounts payable system, importing the payment to the payer accounts payable system, importing the payment to the biller accounts receivable system in the claimed invention as described above.

In conclusion, for the reasons set forth above, examiner decides to maintain the rejections described in the previous office action (also see details below) and make this office action FINAL.

4. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-10, 16-18, and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated Kitchen et al (hereinafter Kitchen), U.S. Patent No. 6,289,322.

Regarding to claim 1, Kitchen discloses a method of invoice presentation and invoice payment for use in a network accessible to a biller having a biller accounts receivable system and a biller bank, and accessible to payer having a payer accounts payable system and a payer bank, the method comprising:

establishing a database accessible over the network (figures 2, 2A; column 6, lines 50-67, the CF station 140 stores billing information in the memory areas 420d, 420e, 420f, accessible over the network);

exporting an invoice from the biller accounts receivable system to the database (column 6, lines 50-58, the CF station 140 receives the billing information from the biller station 110a-110d and stores in the memory areas 420d);

presenting the invoice to the payer when the payer accesses the database to view the invoice (column 8, lines 38-45, the CF station 140 presents the billing information to the payer station 120a-120d);

importing the invoice to the payer accounts payer system from the database (figures 8-11; column 12, line 48-column 15, line 65; presenting the billing information to the payer stations 120a-120d) ;

paying the invoice by recording a payment from the payer representing an amount of money, the payment being recorded in the database (figures 12-13; column 15, line 65-column 17, line 17);

importing the payment to the payer accounts payable system from the database (figure 13; column 16, lines 60-column 17, line 17; presenting the status of payment to the payer stations 120a-120d); and

importing the payment to the biller accounts receivable system from the database (column 9, lines 15-22; transmitting the payment via network to the biller stations 110a-110d).

Regarding to claim 2, Kitchen discloses transmitting the payment from the database to the biller bank (column 9, lines 22-29; transmitting the payment to the biller bank 130a-130c).

Regarding to claim 3, Kitchen discloses transferring the amount of money to the biller bank from the payer bank (column 9, lines 1-8).

Regarding to claim 4, Kitchen discloses establishing the database further comprises: establishing the database such that the database is accessible over the Internet (column 12, lines 49-55).

Regarding to claim 5, Kitchen discloses the database is accessible over the network through a web executable interface (column 7, line 65-column 8, line 10; web page).

Regarding to claim 6, Kitchen discloses the web executable interface operates in a virtual machine and wherein the payer starts the virtual machine and interacts with the database from within the virtual machine (column 7, lines 17-35; the payer stations 120a-120d is a personal computer interconnected to the network).

Regarding to claim 7, Kitchen discloses where presenting the invoice to the payer further comprises: starting the virtual machine at the payer; and presenting the invoice to the payer with the virtual machine (column 8, lines 12-37).

Regarding to claim 8, Kitchen discloses wherein paying the invoice further comprises: paying the invoice as directed by the payer from within the virtual machine (column 16, lines 16-26).

Regarding to claim 9, Kitchen discloses wherein importing the invoice to the payer accounts payer system further comprises: downloading the invoice from the database as directed by the payer from within the virtual machine; and importing the downloaded invoice (column 8, lines 12-25).

Regarding to claim 10, Kitchen discloses wherein importing the payment to the payer accounts payer system further comprises: downloading the payment from database as directed by the payer from within the virtual machine; and importing the downloaded payment (figure 13; column 13, line 16-column 17, line 17).

Regarding to claims 16-17, Kitchen discloses notifying the payer when the invoice is exported from the biller accounts receivable system to the database by sending an email to the payer to notify the payer when the invoice is exported from the biller accounts receivable system to the database (column 7, lines 5-15).

Regarding to claim 18, Kitchen discloses notifying the biller when the payment is recorded (column 12, lines 39-45).

Regarding to claim 20, Kitchen discloses approving the invoice prior to paying the invoice (column 8, lines 52-61, the payer receives the bill information prior to issuing a payment instruction).

Regarding to claims 21-22, Kitchen discloses wherein after the payment is recorded, the method further comprise: applying the payment to the invoice accordance with predefined payment rules setup by the biller (figures 11, 12A; column 15, line 65-column 16, line 15; paying the invoice accordance with the amount and due date setup by the biller).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 11-15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitchen et al (hereinafter Kitchen), U.S. Patent No. 6,289,322.

Regarding to claims 11-13, Kitchen does not directly disclose the web executable interface operates in a virtual machine and wherein the biller starts the virtual machine and interacts with the database from within the virtual machine, the biller views the recorded payment from within the virtual machine, downloading the payment from the database as directed by the biller from within the virtual machine; and importing the downloaded payment. However, Kitchen teaches the biller stations 110a-d can communicate with the CF station via the Internet the same as the payer stations (see figure 2); the payer station is a personal computer interconnected to the network (column 7, lines 17-20); the biller stations receive the remittance information from the CF station (column 9, lines 15-30); the CF station represents a web page in the Internet (column 8, lines 1-10). Therefore, it would have been obvious in Kitchen that the billers using the biller stations interact with the CF station in order to receive the remittance payment information.

Regarding to claim 14, Kitchen discloses wherein exporting the invoice from the biller accounts receivable system further comprises: uploading the invoice as directed by the biller; and entering the uploaded invoice into the database (column 6, lines 50-

58, the CF station 140 receives the billing information from the biller station 110a-110d and stores in the memory areas 420d).

Regarding to claim 15, Kitchen does not teach the invoice has at least one associated attachment, and wherein the method further comprises: uploading the at least one attachment as directed by the biller; and entering the uploaded at least one attachment into the database. However, the use of uploading the attachment associated with an electronic message is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Kitchen's for the purpose of time consuming because by uploading the attachment associated with an electronic message, the user need not to re-enter the information contains in the attachment.

Regarding to claim 19, Kitchen does not teach wherein notifying further comprises: sending an email to the biller to notifying the biller wherein the payment is recorded. However, Kitchen teaches the use of email to notify the payer (column 7, lines 5-15) and notifying the biller wherein the payment is recorded (column 12, lines 42-43). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the use of email to notify the biller in Kitchen's for the purpose of providing a convenient mechanism for keeping the biller informed about the status of the payment information.

### ***Conclusion***

9. Claims 1-22 are rejected.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

(703) 872-9326 (for formal communication intended for entry),

or

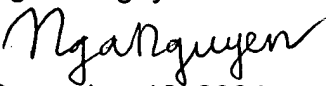
(703) 308-3691 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

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Nga B. Nguyen



December 16, 2004